

November 13, 2013

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 13, 2013, 10:00 a.m. Present were Commissioners Kalk, Christmann, and Fedorchak.

Minutes

Mr. Kalk: I move the minutes of October 22, 23, 24, 2013 be approved.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-64
Courtenay Wind Farm, LLC
200.5 MW Wind Energy Conversion
Facility-Stutsman County
Siting Application

Mr. Kalk: I move the Commission execute a contract with Wenck Associates, Inc. for construction inspection services concerning Countenay Wind Farm, LLC's construction of a 200.5 MW wind energy project in Stutsman County, North Dakota, Case No. PU-13-64.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-683
Hess Corporation
14" Crude Oil Pipeline –
Williams County
Siting Application

Mr. Kalk: I move the Commission execute a contract with Wenck Associates, Inc. for construction inspection services concerning Hess Corporation's construction of approximately 10.2 miles of 14-inch crude oil pipeline in Williams County, North Dakota, Case No. PU-12-683.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-803
Montana-Dakota Utilities Co.,
a Division of MDU
Natural Gas Service Rate Increase
Application

Mr. Kalk: I move the Commission approve the compliance filing by Montana-Dakota Utilities Co. of an Interim Natural Gas Rate Increase tariff to increase annual revenue collections by \$4.25 million effective for service rendered on or after November 17, 2013, Montana-Dakota Utilities Co.'s Natural Gas Service Rate Increase Application, Case No. PU-13-803.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-831
Montana-Dakota Utilities Co.,
a Division of MDU
Paxton Perlichek - Ward County
Public Convenience & Necessity

Mr. Kalk: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Paxton Perlichek at a location in Section SW30, Township160N, Range 88W, Ward Country, North Dakota, Case No. PU-13-831.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-728
Hess Corporation / Hess Tioga Gas
Plant, LLC
Transfer of Site Certificate
Siting Application

Mr. Kalk: I move the Commission decline for lack of good cause the request of Laurel Lawrence to hold a public hearing concerning the joint application of Hess Corporation and Hess Tioga Gas Plant, LLC to transfer Certificate of Site Compatibility Number 18 from Hess Corporation to Hess Tioga Gas Plant, LLC, Case No. PU-13-728.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-64
Courtenay Wind Farm, LLC
200.5 MW Wind Energy Conversion
Facility-Stutsman County
Siting Application

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order issuing certificate of site compatibility No. 36 to Courtenay Wind Farm, LLC authorizing construction of its Courtenay Wind Farm in Stutsman County, North Dakota, Case No. PU-13-64

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-13-613
Robert Gibb & Sons, Inc.
Damage Prevention Enforcement

HOLD OVER

Case No. GE-13-841
Cavalier Grain LLC
Grain Warehouse - Cavalier, ND
License Application

Mr. Christmann: I move the Commission adopt an order in Case No. GE-13-841 granting the request of Cavalier Grain LLC to operate a 269,000-bushel grain warehouse at Cavalier, North Dakota, effective immediately.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-13-841
Cavalier Grain LLC
Grain Warehouse - Cavalier, ND
License Application

WITHDRAWN

Case No. PU-12-683
Hess Corporation
14" Crude Oil Pipeline –
Williams County
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order in the request of Hess Corporation for a waiver of procedures and time schedules, a corridor certificate and a route permit for approximately 10.2 miles of 14-inch crude oil pipeline in Williams County, North Dakota, Case No. PU-12-683.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-728
Hess Corporation /
Hess Tioga Gas Plant, LLC
Transfer of Site Certificate
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order Reissuing Certificate in the joint application of Hess Corporation and Hess Tioga Gas Plant, LLC to transfer Certificate of Site Compatibility Number 18 from Hess Corporation to Hess Tioga Gas Plant, LLC, Case No. PU-13-728.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-13-737
ONEOK Rockies Midstream
LLC/ONEOK Bakken Pipeline
Transfer - Certificate #131 and
Permit #140
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order Reissuing Certificate and Permit in the joint application of ONEOK Rockies Midstream, LLC and ONEOK Bakken Pipeline, LLC to transfer Certificate of Corridor Compatibility Number 131 and Route Permit Number 140 from ONEOK Rockies Midstream, LLC to ONEOK Bakken Pipeline, LLC in Case No. PU-13-737.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-13-755
Otter Tail Power Company
2014 Transmission Facility Cost
Recovery
Rates

Ms. Fedorchak: I move the Commission issue a Notice of Filing and Notice of Opportunity for Hearing in Otter Tail Power Company's annual transmission cost recovery rider rate update, Case No. PU-13-755.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-13-839
Montana-Dakota Utilities Co.,
a Division of MDU
Transmission Facility Cost Recovery
Rates

Ms. Fedorchak: I move the Commission suspend Montana-Dakota Utilities Co.'s, 2014 Transmission Facility Cost Recovery Rates tariff, assess a filing fee of \$10,000, and issue a Notice of Filing and Notice of Opportunity for Hearing, Case No. PU-13-839.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-12-790
Basin Electric Power Cooperative
Lonesome Creek Station –
McKenzie County
Siting Application

Mr. Kalk: I move the Commission retain Mitchell D. Armstrong and Brian Schmidt to provide legal services to assist the Commission in processing Case No. PU-12-790, Basin Electric Power Cooperative, Lonesome Creek Station – McKenzie County, Siting Application.

Mr. Christmann: I second the motion.
Roll Call: All voting "Aye."

Case No. PU-13-835
Whiting Oil and Gas Corporation
Robinson Lake Gas Plant Expansion -
Mountrail County.
Siting Application

Mr. Kalk: I move the Commission retain Zachary Pelham to provide legal services to assist the Commission in processing Case No. PU-13-835, Whiting Oil and Gas Corporation, Robinson Lake Gas Plant Expansion - Mountrail County, Siting Application.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-13-848
Enbridge Pipelines (North Dakota) LLC
24-Inch Crude Oil Pipeline –
Sandpiper Project
Siting Application

Mr. Kalk: I move the Commission retain Mitchell D. Armstrong and Brian Schmidt to provide legal services to assist the Commission in processing Case No. PU-13-848, Enbridge Pipelines (North Dakota) LLC, 24-Inch Crude Oil Pipeline – Sandpiper Project, Siting Application.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Resignation - Consumer Affairs and
Public Outreach Specialist

Mr. Kalk: I move the Commission accept, with regret, the resignation of Scott Sheldon effective January 3, 2014.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

Probationary Period Salary
Adjustment

Mr. Kalk: I move the approval of a salary increase effective November 26, 2013 for Position No. 408-5026, upon the satisfactory completion of the twelve-month probationary period, in an amount consistent with the terms set forth in the Commission's October 18, 2012 offer of employment, plus a 5% equity and performance increase that non-probationary employees were eligible to receive July 1, 2013 as budgeted for and as provided by Section 13 of House Bill 1015 of the sixty-third Legislative Assembly.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 12:03 P.M.

Executive Secretary

BRIAN P. KALK, CHAIRMAN